

Appl. No. 10,068,587

Amdt. dated Nov. 19, 2003

Reply to Office action of Aug. 11, 2003

### **REMARKS**

Reconsideration of this application is respectfully requested. Claims 1 and renumbered Claims 3-11 and newly inserted Claim 12 are presented, including one independent claim. Claim 2 has been cancelled and most of its substance incorporated into Claim 1, with parts e and f of cancelled Claim 2 recited in terms of function of the structure of parts a-d. Also the term "treatment tool" remains in Claim 1 (2<sup>nd</sup> line) and is further qualified in renumbered Claim 3. No additional claims fee is required.

It is noted that no prior art has been cited against Claims 4-8.

#### **Response to Claim Objections**

Amendments to Claims 1 and renumbered Claims 4-8 set forth proper antecedent basis and dependencies for the several terms called to attention in these claims..

The use of periods prior to the end of claims has been eliminated and proper punctuation is set forth.

The preamble of renumbered Claim 4 is properly recited. The objection to the preamble of Claim 2 no longer applies.

The objection to the term "the flat surface" in Claim 1 and "a surface" in Claim 2 no longer applies as Claim 2 has been cancelled and the term is clearly defined in claim 1 as amended, with antecedent basis.

The term "a scanner" is presented in renumbered Claim 3, is clarified with the replacement of "such as" by "selected from the group consisting of".

#### **Response to Claim Rejections-35 USC § 112**

The term "etc" is not presented in renumbered Claim 3 as amended.

In renumbered Claim 11 the misspelling "nay" is corrected to read "any" as is obviously intended.

#### **Response to Claim Rejections-35 USC § 102**

Claims 1 and renumbered claims 3 and 9-11 were rejected as anticipated by USP 6,467,978 to Tideman. Since the substance of Claim 2 (except for reciting parts e and f

Appl. No. 10/068,587

Amdt. dated Nov. 19, 2003

Reply to Office action of Aug. 11, 2003

of Claim 2 as functions of the structure of parts a-d and the term "treatment tool", as noted above) has been incorporated into Claim 1 (in particular the structural features a-d) as amplified, it is respectfully submitted that that Claim 1, as amended, is not anticipated by the patent to Tideman. For instance as stated by the Examiner in reasons for allowability of original Claim 2 and original but renumbered Claims 4-8, the primary reasons for allowability "is the limitation of two parallel axles having the axles having cams contacting flat surfaces of the units and creating horizontal and vertical motions of the units, an electromechanical system which rotational synchronized motion to the two parallel axles, where the movement of the units comprises stages where the first unit is raised relative to the second one and moved a full step forward and lowered back to the surface, the second unit is raised relative to the first and moved a full step forward and lowered back to the surface, in combination with the other claim structure."

For the reasons set forth it is respectfully requested that this application be reconsidered and Claims 1, renumbered Claims 3-11 and Claim 12 allowed.

The Examiner is invited to contact the undersigned attorney by telephone to discuss any further matters considered to be necessary to place this application in condition for allowance.

Respectfully submitted,



Robert L. Stone  
Registration No. 22,272  
Attorney for Applicant  
732-254-2674